

**Proposed Substitute
Bill No. 5720**

LCO No. 5836

**AN ACT CONCERNING THE NEED TO ESTABLISH A SITE FOR
SHELLFISH SAMPLE TESTING EAST OF THE CONNECTICUT RIVER
AND AUTHORIZING THE TAKING OF CERTAIN EASTERN OYSTERS
THAT ARE TWO AND ONE-HALF INCHES IN LENGTH.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) Not later than January 1, 2016, the
2 Commissioner of Public Health, in accordance with the provisions of
3 section 11-4a of the general statutes, and after consultation with the
4 Commissioner of Agriculture, shall submit to the joint standing
5 committee of the General Assembly having cognizance of matters
6 relating to the environment a report concerning the need for and
7 viability of establishing a laboratory located east of the Connecticut
8 River for the testing of shellfish. Such report shall include, but not be
9 limited to, a description of the requisite laboratory testing for shellfish
10 as prescribed by the Department of Public Health, the Department of
11 Agriculture, federal law and any other provision of law, an
12 explanation of any standards that any such laboratory is required to
13 meet, a description of any requisite equipment and facilities required
14 to perform such testing, a listing of the qualifications that any person
15 who performs such testing is required to possess, an assessment of the
16 adequacy of existing state facilities to perform such testing for the
17 state's shellfish industry, the volume of such testing that could occur at

18 a facility established at a location east of the Connecticut River and
19 identification of any existing privately owned facilities, state resources
20 or state facilities that could adequately and appropriately provide a
21 location for such testing at a location east of the Connecticut River,
22 including but not limited to, a cost-benefit analysis for modifying any
23 such existing state resources or facilities to provide for such testing at a
24 location east of the Connecticut River.

25 Sec. 2. Section 26-234b of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2015*):

27 No person may take eastern oysters (*Crassostrea virginica*) from the
28 waters of this state which are less than three inches long or which are
29 otherwise not ready for harvest, as determined by the Commissioner
30 of Agriculture, except that: [the] (1) The taking of such oysters for sale,
31 transplant and relay for aquaculture purposes within the waters of the
32 state shall not be prohibited, and (2) eastern oysters that are two and
33 one-half inches in length may be taken if such oysters were cultivated
34 in a confined apparatus prior to such harvesting. The Commissioner of
35 Agriculture may adopt regulations, in accordance with the provisions
36 of chapter 54, to carry out the purposes of this section.

37

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2015</i>	26-234b